

ANDREW R. JACOBS, ESQ. (AJ-6271)  
EPSTEIN, FITZSIMMONS, BROWN, GIOIA, JACOBS & SPROULS, P.C.  
245 Green Village Road  
P.O. Box 901  
Chatham Township, New Jersey 07928  
(973) 593-4900  
Attorneys for Plaintiff

SANJEET S. HATALKAR,

Plaintiff,

v.

JOSHUA A. GREENSTEIN,

Defendant.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CIVIL ACTION NO.

Civil Action

**COMPLAINT AND JURY DEMAND**

Plaintiff Sanjeet S. Hataalkar, ("Hataalkar") residing at 40 Newport Parkway, City of Jersey City, Hudson County, New Jersey, by way of Complaint against Defendant Joshua A. Greenstein ("Greenstein"), alleges as follows:

**Jurisdictional Statement**

1. There is jurisdiction under 28 U.S.C. §1332 (a)(1), in that there is diversity of citizenship between the Plaintiff and the Defendant, namely the Plaintiff is citizen of a foreign state, namely India, presently residing in the State of New Jersey, and Defendant Joshua A. Greenstein is a citizen of the State of New York, residing at 31 Iroquois Trail, Slingerlands, Albany County, New York, and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

**Venue**

2. There is venue in this District pursuant to 28 U.S.C. §1391 (a)(2), in that this is a judicial district where a substantial part of the events or omissions giving rise to the claim occurred.

**Count One**

3. On or about February 22, 2005, Plaintiff Hatakar was a pedestrian walking in the crosswalk on Morton Street at the corner of Seventh Avenue South, New York, New York.

4. At the aforesaid time and place, Defendant Greenstein was the owner and operator of a motor vehicle traveling south on Seventh Avenue South, making a left turn on to Morton Street.

5. At the aforesaid time and place, Greenstein operated his motor vehicle in a negligent and careless manner so as to cause it to strike the Plaintiff Hatakar.

6. Solely as a result of the defendant's negligence as aforesaid, Plaintiff Hatakar sustained a serious injury as defined by Section 5102(d) of the Insurance Law of the State of New York, and has incurred, and in the future will incur, pain and suffering, hospital and medical expenses in an effort to cure himself of his injury, and is and will continue to be prevented from attending to his regular pursuits and duties.

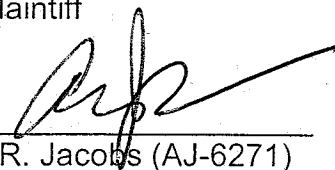
**WHEREFORE**, Plaintiff Sanjeet S. Hatakar demands judgment against Defendant Joshua A. Greenstein, in the amount of three hundred thousand (\$300,000) dollars, plus interest, and the costs and disbursements of this action, together with such other and further relief as to this court seems just and proper.

**JURY DEMAND**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury as to all issues so triable.

Dated: November 23, 2005  
Chatham Township, New Jersey

**EPSTEIN, FITZSIMMONS, BROWN  
GIOIA, JACOBS & SPROULS, P.C.**  
Attorneys for Plaintiff

By:   
Andrew R. Jacobs (AJ-6271)